

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF MASSACHUSETTS,

Plaintiff,

v.

Civil Action No. 14-cv-11759-ADB

FEDERAL BUREAU OF INVESTIGATION;
and ANDREW E. LELLING, UNITED
STATES ATTORNEY FOR THE DISTRICT
OF MASSACHUSETTS,

Defendants.

JOINT STATUS REPORT

Plaintiff American Civil Liberties Union Foundation of Massachusetts (“ACLUM”) instituted this action pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, to obtain records from the Federal Bureau of Investigation (the “FBI”) and the U.S. Attorney’s Office for the District of Massachusetts regarding records that describe how the FBI collaborates with Massachusetts state and local police including documents concerning the Massachusetts Joint Terrorism Task Force (“JTTF”), including how it functions, how its authority is divided and shared, and what safeguards are in place to ensure the civil liberties of the persons it targets (“Request A” of Plaintiff’s FOIA Request); documents concerning the number and type of investigations carried out by the Boston FBI Field Office (“Request B”); and documents concerning the FBI’s recent work regarding Ibragim Todashev (“Request C”).

The FBI produced its final production for Request C on November 2, 2016, filed an accompanying declaration from David Hardy on May 15, 2017, and produced its Vaughn index

for this response on July 5, 2017. The U.S. Attorney's Office produced its final production for Request C on December 20, 2016, and produced its Vaughn index for this response on June 19, 2017. On April 9, 2018, the parties submitted a joint status report anticipating that Plaintiff would be able to provide documentation in support of its request for attorneys' fees and expenses to the FBI and the U.S. Attorney's Office by April 13, 2018. *See* ECF No. 105. On May 25, 2018, the parties submitted a joint status report noting that unforeseen circumstances in another case prevented Plaintiff from submitting that documentation at the anticipated time, and setting a revised schedule to discuss Plaintiff's request for fees and costs. *See* ECF No. 107 at 2. On July 10, 2018 the parties requested an additional 30 days to finalize their settlement discussions. *See* ECF No. 108.

On August 10, 2018, the parties reported they had reached agreement with respect to fees and costs, and reported they anticipated payment to be completed within 45 days. ECF No. 110.

The parties report payment has been initiated pursuant to their agreement with respect to fees and costs, but that they require additional time to complete the payment process. The parties anticipate payment will be completed within the next 45 days, and will file a motion for stipulated dismissal or a joint status report by November 8, 2018.

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Respectfully submitted,

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF MASSACHUSETTS

FEDERAL BUREAU OF
INVESTIGATION and ANDREW
E. LELLING, United States Attorney
for the District of Massachusetts

By their attorneys,

By their attorneys,

/s/ William D. Dalsen

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* *With Permission*

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants by First Class Mail.

/s/ William D. Dalsen

William D. Dalsen

Dated: September 24, 2018